

11/2/04

Express Mail No. EV336593391US

3736

**TRANSMITTAL  
FORM***(To be used for all correspondence  
after initial filing)*

Application Number	09/865,195
Filing Date	May 24, 2001
First Named Inventor	William L. Hunter et al.
Art Unit	3736
Examiner Name	SZMAL, Brian Scott
Attorney Docket No.	110129.420C2

**ENCLOSURES (check all that apply)**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b><br><input checked="" type="checkbox"/> <b>Fee Attached</b><br><input checked="" type="checkbox"/> <b>Amendment/Response</b><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> <b>Extension of Time Request</b><br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement; Form PTO-1449<br><input type="checkbox"/> Cited References<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Declaration<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> <b>Return Receipt Postcard</b><br><input type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ):<br>_____<br>_____<br>_____ |
|---|---|---|

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Jeffrey C. Pepe, Ph.D. Reg. No. 46,985	Customer Number <b>00500</b>
Signature		
Date	January 8, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

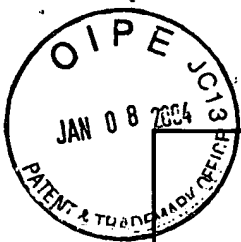
Date:

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**FEE TRANSMITTAL  
for FY 2004**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT (\$)**

Complete if Known

Application Number	09/865,195
Filing Date	May 24, 2001
First Named Inventor	William L. Hunter et al.
Examiner Name	SZMAL, Brian Scott
Art Unit	3736
Attorney Docket No.	110129.420C2

**METHOD OF PAYMENT**☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other☐ Deposit Account:Deposit  
Account  
Number

19-1090

Deposit  
Account  
NameSeed Intellectual Property Law Group  
PLLC

The Director is authorized to (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any deficiencies

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims		Fee from below		Fee Paid
Total Claims						
222	-554**	0	*			
Independent Claims	20	-24**	0	*		
Multiple Dependent			pd			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	475
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 475)

**SUBMITTED BY**

Name (Print/Type) Jeffrey C. Pepe, Ph.D.

Registration No. Attorney/Agent 46,985

Customer Number

Signature

Date January 8, 2004

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PATENT

15/B  
DL  
2404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William L. Hunter *et al.*  
Application No. : 09/865,195  
Filed : May 24, 2001  
For : *COMPOSITIONS AND METHODS FOR TREATING DISEASE  
UTILIZING A COMBINATION OF RADIOACTIVE THERAPY AND  
CELL-CYCLE INHIBITORS*

Examiner : SZMAL, Brian Scott  
Art Unit : 3736  
Docket No. : 110129.420C2  
Date : January 8, 2004

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

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REPLY AND AMENDMENT PURSUANT TO 37 C.F.R. §§1.111 AND 1.121

Commissioner:

In response to the Office Action dated July 8, 2003, please extend the period of time for response three (3) months, to expire on January 8, 2004. Enclosed are a Petition for an Extension of Time and the requisite fee. Please amend the application as follows:

Amendments to the claims are reflected in the **Listing of Claims**, which begins on page 2 of this paper.

**Remarks** begin on page 31 of this paper.